

BOARD OF PARDONS ^[754]

MINUTES, 1896-1963, 1966-1968, 1970-1973, 1982-
10 cu.ft., and 3 microfilm reels

DESCRIPTION: Minutes were kept, as a requirement of law, to record hearings held for prisoners before the Board of Pardons. They record background information and decisions for all pardons, commutations, terminations, and paroles. Regular meetings were held each month, with other meetings held as the Board felt necessary. An application for a prisoner's hearing was required to be submitted to the Board a minimum of thirty days before each meeting. The application could be denied without notice but once it had been granted a hearing was scheduled.

The hearing is open to the public, during which the prisoner is interviewed by the Board. Interested persons also testify, under oath, for or against the prisoner. Reports from adult probation and parole and law enforcement officials, the prosecuting attorney, the judge, and the warden and staff of the prison may be presented during the hearing. The Board and their staff then meet privately in an executive session where testimony and reports are considered. After this session they again meet with the prisoner and other interested persons to announce their ruling. The following variables are considered in making decisions. Discussion of these issues is usually summarized in the minutes.

- (1) physical, social, psychological, and moral evaluations of the prisoner;
- (2) prison history, including work and disciplinary records;
- (3) evidence of rehabilitation indicating a willingness to obey laws upon release;
- (4) the seriousness of criminal acts and perceived danger to society;
- (5) the circumstances under which an offense was committed which would make the action more understandable; and

(6) constructive resources available upon release such as employment opportunities.

Other documents are occasionally included with the minutes. As required by law, a document entitled "Proof of Publication" verifies that the meetings were advertised in a newspaper having statewide circulation. A written order, reflecting a majority decision, is issued denying or granting a prisoner's request. If a prisoner is paroled, he signs a document showing that he understands or is in agreement with the conditions of his release.

Orders terminating paroles are often included with the minutes; these recommendations are frequently made by Adult Probation and Parole Department personnel. When conditions of release are violated, hearings are set for the earliest regularly scheduled meeting of the Board to reconsider the case. Remarks of any legal counsel are sometimes included in the minutes from these types of hearings. Reports of parole violations, requests that a parole be revoked, and the issuance of warrants result from the meetings and are often attached as well.

In addition, minutes from the years 1961 through 1973 contain orders issued for several actions: granting and denying requests for release; continuing hearing dates; setting hearing dates; rescinding previous decisions; and revoking previous decisions.

From 1896 until 1951 the Board of Pardons consisted of the Governor, who acted as chairman, justices of the Supreme Court, and the Attorney General. In 1951 the legislature reorganized the Board of Pardons, which after that date consisted of three "resident citizens" chosen by the Board of Corrections. An executive secretary, hired by the Board, was responsible for recording and keeping the minutes. Later legislation expanded its membership to five.

ARRANGEMENT: The minutes are arranged chronologically by month and year.

RESEARCH NOTE: Formal and concise typewritten descriptions are available for actions taken by the Board from 1896 thru 1914 in box 1. Handwritten accounts, in box 2, covering part of the same period, 1907 thru 1914, are more detailed but sometimes difficult to read. Some of the minutes for 1957 were microfilmed in random order.

RELATED RECORDS: PARDON APPLICATION CASE FILES, series 328, has further background data on many of the prisoners whose cases are reviewed in this series. Discussion of these same cases can also be found in series 80460, BOARD OF PARDONS CORRESPONDENCE. BOARD OF PARDONS SCHEDULE OF PROCEEDINGS, series 330, contains brief entries noting decisions reached at specific meetings between the years 1896 to 1918. A copy of the minutes missing from 1974 might be found in series 238, BOARD OF PARDONS MINUTES, a series maintained by the Secretary of State.

PROCESSING NOTE: Minutes from 1956 to 1963 were microfilmed by the archives in

1981. Archival processing was completed in 1988, and additions will be processed as they are received. Minutes created since 1982 are scheduled to remain in agency custody for at least five years before being transferred to the state archives. The volume figure represents only that part of the series held in archival storage.

GAPS IN THE SERIES: Even though regular meetings were held monthly, the series is lacking minutes from at least one or more months from many years. This may either reflect that meetings were not held during those months, such as many summer months during the 1920s, or that copies of minutes are missing from the series. All minutes created in 1964, 1965, 1969, and between 1973 and 1982 are also missing. YearMissing Months
 1896January-February, April-November 1897January-November 1898January-October
 1899January, March, August-September, and December 1900June and October 1901January, May-June, and September 1902June, August, and November 1903March and August
 1904August and October 1905January, June, and October 1918October and November
 1923November 1924February, April, and August 1925February 1951April-June
 1957October-December 1960August

CONTAINER LIST

Reel	Box	Description
none	1	1896-1914
none	2	1907-1914
none	3	1914-1924
none	4	1924-1935
none	5	1935-1951
none	6	1951-1953
none	7	1954-1955
1	none	1956-1958
2	none	1958-1961
3	none	1961-1963